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*Our mission:
To restore and enhance the
Santa Monica Bay through
actions and partnerships that
improve water quality,
conserve and rehabilitate
natural resources, and protect
the Bay's benefits and values.*



March 1, 2004

California Energy Commission
Attn: Chairman William Keese and All Commissioners
1516 Ninth Street
Sacramento, CA 95825-5512

**RE: Presiding Member's Proposed Decision (PMPD) on El Segundo Power
Redevelopment Project (Docket No. 00-AFC-14)**

Dear Chairman Keese and Commissioners:

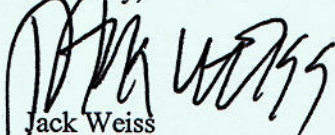
This letter is in response to the recently-released Presiding Member's Proposed Decision (PMPD) regarding the El Segundo Power Redevelopment Project, specifically to the proposed condition in the PMPD that requires the project owner to transfer \$1,000,000 in trust to the Santa Monica Bay Restoration Commission (SMBRC). We thank you for considering the need to set aside funding to protect and restore the extraordinary natural resources of Santa Monica Bay.

As you may already be aware, the Santa Monica Bay Restoration Commission was established in statute as a non-regulatory, locally based state government entity responsible for monitoring, assessing, coordinating, and overseeing funding that affects the beneficial uses, restoration, and enhancement of the Santa Monica Bay and its watershed. We are also established in the federal Clean Water Act as a National Estuary Program. As part of our mission, we are authorized to receive and expend public and private funds for the restoration and enhancement of the Bay and its environmental resources. The membership of the Bay Commission is composed of federal, state and local public agency officials, local municipalities, and representatives of the local environmental, recreational and business community, which includes several of the major parties involved in the pending power plant redevelopment case.

In light of our unique mission and composition, we would be a most appropriate and willing body to receive and manage funds set aside to conduct Section 316-type studies as well as to oversee any ensuing mitigation projects. As the former Santa Monica Bay Restoration Project, we have conducted intensive collaborative projects addressing health risks to swimmers, storm water management, and development of a comprehensive Bay Restoration Plan, all of which have required that study designs and methods be rigorous and defensible. The members of our Technical Advisory Committee include accomplished marine scientists from local academic institutions, governmental agencies, industry, and environmental organizations, who can ensure that the work performed by this organization is of the highest scientific integrity.

I thank you for the opportunity to comment on this matter. Please feel free to contact our Director, Marianne Yamaguchi at (213) 576-6614 if you should have any questions.

Sincerely,


Jack Weiss
Commission Chair